

Appl. No. 10/743,861
Reply dated July 21, 2005
Reply to Office Action of March 21, 2005

REMARKS/ARGUMENTS

Claims 1-20 are presented for Examiner Rao's consideration. Claim 1 is currently amended to correct an error of grammatical nature.

Pursuant to 37 C.F.R. § 1.111, reconsideration of the present application in view of the foregoing amendments and following remarks is respectfully requested.

Applicants thank Examiner Rao for including in the Office Action mailed March 21, 2005 signed copies of the initialed Forms PTO-1449 sent with Applicants' Information Disclosure Statements (IDS).

By way of section 1 the Office Action mailed March 21, 2005 the Examiner rejected claims 1, 2, 5-11, and 13-16 under 35 U.S.C. §102(b) as allegedly being anticipated by and thus unpatentable over U.S. Pat. No. 6,565,344 to Bentley (hereinafter "Bentley"). This rejection is hereby **traversed** to the extent it may apply to the currently presented claims.

The invention as claimed in independent claim 1 provides a die for meltblown multicomponent filaments and includes the features of a first surface including a first plurality of orifices for receiving a multicomponent structure. The first orifices extend to first conduits that convey the multicomponent structure to a capillary. The first surface also includes a second plurality of orifices for receiving a multicomponent structure. The second orifices extend to second conduits that convey the multicomponent structure to a capillary. The first conduits define a first plane and the second conduits define a second plane, where the first plane and the second plane are not coplanar and intersect at an angle. Although independent claim 13 was not specifically mentioned by the Examiner, please note that the first and second conduits in claim 13 are also multicomponent conduits as in independent claim 1.

As the Examiner has noted, Bentley discloses a die for multicomponent liquids and has outlets that intersect in an angle. However, Applicants assert that Bentley fails to anticipate their invention as claimed in the independent claims. The Examiner equated the

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first and second outlets 26a and 26b with the first and second orifices of Applicants' claims. However, please see Bentley at col. 5 lines 21-26 where it states in no uncertain terms that the "two types of liquid material are brought together at each multi-component filament outlet 26a, 26b. The two types of liquid material (polymers A and B) are kept separate from one another until being brought into contact immediately after extrusion. With this unique configuration, premature leakage of one liquid material into the other is avoided". Thus, as stated in Bentley, the angled outlets in Bentley are specifically for keeping the two components separate and at no time does any outlet appear capable of containing or carrying more than one component.

Therefore, because the Bentley disclosure does not teach all of the parameters or elements of Applicants' claims as presented, Applicants respectfully submit that the rejection of claims 1, 2, 5-11, and 13-16 under 35 U.S.C. §102(b) should be withdrawn.

By way of section 2 of the Office Action mailed March 21, 2005, the Examiner rejected the dependent claims 3, 4 and 17-20 under 35 U.S.C. § 103(a) as allegedly being obvious to one of ordinary skill in the art at the time the invention was made and thus unpatentable over the afore-mentioned Bentley reference in view of U.S. Patent Number 3,825,380 to Harding (hereinafter "Harding"). This rejection is respectfully traversed to the extent that it may apply to the currently presented claims.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP §2143. Applicants submit that a *prima facie* case of obviousness has not been established because the cited references, even if combined, fail to teach or suggest all of the claims limitations.

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The Examiner stated that Bentley failed to show specific size ranges for the die openings and stated it would be obvious to modify Bentley with the teachings of Harding, which reference states die opening size ranges that at least in part overlap those claimed (in dependent claims 3, 4 and 17, 18).

Even if Bentley and Harding are combined, the combination still fails to disclose all of the parameters required by Applicants' claims. As noted above with respect to the anticipation rejection, the outlets taught in Bentley keep components separated and do not receive or convey multiple components, and Harding (not teaching a multicomponent fiber die) does not in any way remedy this deficiency.

In addition, claims 19 and 20 were included in this obviousness rejection but were not specifically mentioned by the Examiner. Applicants point out that neither Bentley nor Harding appear to disclose a die having at least 20 die openings per inch or at least 30 die openings per inch as recited in Applicants' claims 19 and 20, respectively. In this regard, Harding does mention a die having 9 holes per inch at column 2 lines 41-42.

In addition, Applicants note that although all of claims 1-20 were listed as rejected in box 6 of the Office Action Summary, claim 12 was not listed in the anticipation rejection or in the obviousness rejection. Claim 12 depends from claim 1 and includes the die having at least 20 die openings per inch, which as Applicants describe above does not appear to be taught in either cited reference.

For these reasons, Applicants respectfully submit that the rejection claims 3, 4 and 17-20 under 35 U.S.C. §103(a) over Bentley in view of Harding should be withdrawn.

For the reasons stated above, it is respectfully submitted that all of the claims are in form for allowance.

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Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc.
deposit account number 11-0875.

The undersigned may be reached at: 770-587-8908.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I, Robert A. Ambrose, hereby certify that on July 21, 2005, this document is being faxed to the United States Patent and Trademark Office, central facsimile machine at (571) 273-8300.

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Robert A. Ambrose